

AO 440 (Rev. 5/85) Summons in a Civil Action

United States District Court

DISTRICT OF NEW JERSEY

BED BATH & BEYOND INC.,

Plaintiff,

v.

SEARS HOLDING CORPORATION, and
SEARS BRANDS, LLC,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

TO: Sears Holding Corporation
3333 Beverly Road
Hoffman Estates
Illinois, 60179

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Charles P. Kennedy, Esq.
Lerner, David, Littenberg, Krumholz & Mentlik, LLP
600 South Avenue West
Westfield, NJ 07090

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

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RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹	DATE	
NAME OF SERVER	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ <input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____ <div style="display: flex; justify-content: space-between;"> <i>Date</i> <i>Signature of Server</i> </div> <div style="text-align: center;"> _____ <i>Address of Server</i> </div>		

1) At to who may serve a summons see Rule4 of the Federal Rules of Civil Procedure.